UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

Civil Case No. 2:21cv463-JRG

JURY TRIAL DEMANDED

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG SEMICONDUCTOR, INC.,

Defendants.

JOINT NOTICE OF AGREED MEDIATOR

Plaintiff Netlist, Inc. and Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung Semiconductor, Inc. hereby notify the Court that the parties have met and conferred and agree upon the Honorable David Folsom as the Mediator in this matter. The Honorable David Folsom's information is as follows:

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Plaintiff believes mediation is not beneficial as this point.

Date: February 21, 2023

/s/ Melissa R. Smith

Respectfully submitted,

<u>/s/ Jennifer L. Truelove</u>

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Attorneys for Defendants Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 5th day of April, 2021.

/s/ Melissa R. Smith

Melissa R. Smith